

MONDAY, MARCH 17, 2014

FIFTY-FOURTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Dr. Chuck Frazier, Faith Church, Madisonville, TN.

Representative Forgety led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 81

Representatives present were Akbari, Armstrong, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Coley, Cooper, Dean, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell --
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EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Alexander; business

Representative Spivey; business

Representative Watson; personal

Representative J. DeBerry; business

PRESENT IN CHAMBERS

Rep(s). Carter, Littleton, Tidwell, Bailey, Parkinson and Moody was/were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 645 Rep(s). Hardaway as prime sponsor(s).

House Joint Resolution No. 663 Rep(s). Faison as prime sponsor(s).

House Joint Resolution No. 668 Rep(s). Hardaway as prime sponsor(s).

House Joint Resolution No. 675 Rep(s). Hardaway as prime sponsor(s).

House Joint Resolution No. 768 Rep(s). Lynn as prime sponsor(s).

House Joint Resolution No. 772 Rep(s). Evans as prime sponsor(s).

House Joint Resolution No. 776 Rep(s). Armstrong as prime sponsor(s).

House Joint Resolution No. 779 Rep(s). Matheny as prime sponsor(s).

House Bill No. 937 Rep(s). Lollar as prime sponsor(s).

House Bill No. 1109 Rep(s). Akbari as prime sponsor(s).

House Bill No. 1295 Rep(s). Lamberth as prime sponsor(s).

House Bill No. 1306 Rep(s). G. Johnson as prime sponsor(s).

House Bill No. 1401 Rep(s). Dean and D. Carr as prime sponsor(s).

House Bill No. 1427 Rep(s). Favors, Dunn and H. Brooks as prime sponsor(s).

House Bill No. 1468 Rep(s). Hardaway and Powers as prime sponsor(s).

House Bill No. 1483 Rep(s). Weaver, Holt, Dunn, Wirgau, H. Brooks, Floyd, Goins, Lollar, Travis, J. DeBerry, Halford, M. Hill, Powers, Todd, McManus, Sanderson, Haynes, Roach, Durham, R. Williams and Powell as prime sponsor(s).

House Bill No. 1697 Rep(s). Lollar, Hardaway, C. Johnson, Rich, Dean, Todd, Hall, Sanderson, Towns and Haynes as prime sponsor(s).

House Bill No. 1713 Rep(s). Dunn, H. Brooks, Carter, Stewart, Rogers, Travis, Wirgau, Sexton, Windle and Bailey as prime sponsor(s).

House Bill No. 1729 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1745 Rep(s). Faison as prime sponsor(s).

House Bill No. 1783 Rep(s). Lamberth as prime sponsor(s).

House Bill No. 1930 Rep(s). Shaw as prime sponsor(s).

House Bill No. 2048 Rep(s). Favors, Camper, Akbari and J. Turner as prime sponsor(s).

House Bill No. 2079 Rep(s). Powell as prime sponsor(s).

House Bill No. 2101 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2203 Rep(s). Hardaway as prime sponsor(s).

**MESSAGE FROM THE SENATE
March 14, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 727 and 743; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Pitts was recognized in the Well to recognize Mallory Fundora for her creation of the Project Yesu.

RESOLUTION READ

The Clerk read House Joint Resolution No. 541, adopted January 22, 2014, recognizing Mallory Fundora, 13-year old founder of Project Yesu.

House Joint Resolution No. 541 -- Memorials, Recognition - Mallory Fundora, 13-year old altruist and founder of Project Yesu. by *Pitts, *Tidwell, *Johnson C.

RECOGNITION IN THE WELL

Representative Calfee was recognized in the Well to recognize Rare Disease Day.

RECOGNITION IN THE WELL

Representative Van Huss was recognized in the Well to honor Gunnery Sgt. Kevin Neal of the U.S. Marine Corps

RESOLUTION READ

The Clerk read House Resolution No. 168, adopted March 10, 2014, honoring Gunnery Sgt. Kevin Neal of the U.S. Marine Corps.

House Resolution No. 168 -- Memorials, Recognition - Gunnery Sgt. Kevin Neal, U.S. Marine Corps. by *Van Huss.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 20, 2014:

House Resolution No. 186 -- Memorials, Death - William Otis Little, Sr. by *Turner J.

House Resolution No. 187 -- Memorials, Personal Occasion - Lillie Sennel, 100th Birthday. by *Coley.

House Joint Resolution No. 790 -- Memorials, Retirement - Betty Gibson. by *Lamberth.

House Joint Resolution No. 791 -- Memorials, Recognition - National Athletic Training Month, March 2014. by *Lamberth.

House Joint Resolution No. 792 -- Memorials, Sports - Battle Ground Academy, Boys Basketball Division II-A State Champions. by *Sargent

House Joint Resolution No. 793 -- Memorials, Retirement - Stephen Ray Barrickman. by *Sargent.

House Joint Resolution No. 794 -- Memorials, Recognition - Principal Michael Pigg, Watertown Middle School. by *Pody.

House Joint Resolution No. 795 -- Memorials, Professional Achievement - William Curtis, Cannon County High School Teacher of the Year. by *Pody.

House Joint Resolution No. 796 -- Memorials, Professional Achievement - Margie Gifford-Hawkins, Presidential Award for Excellence in Mathematics and Science Teaching. by *Pody.

House Joint Resolution No. 797 -- Memorials, Recognition - Watertown High School. by *Pody.

House Joint Resolution No. 798 -- Memorials, Recognition - Coalition of 100 Black Women. by *Favors.

House Joint Resolution No. 799 -- Memorials, Public Service - President Tim Hall, Austin Peay State University. by *Pitts.

House Joint Resolution No. 800 -- Memorials, Sports - Kippy Brown, Super Bowl Champion Seattle Seahawks. by *Matlock.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 20, 2014:

Senate Joint Resolution No. 650 -- Memorials, Recognition - David Womack, Lifetime Achievement Award, American Soybean Association. by *Tracy.

Senate Joint Resolution No. 651 -- Memorials, Sports - James "Boots" Donnelly, College Football Hall of Fame. by *Tracy.

Senate Joint Resolution No. 652 -- Memorials, Sports - Shelbyville Central High School football team, District 8 AAA champions. by *Tracy.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2524 -- Gordonsville - As introduced, subject to local approval, requires two readings for passage of an ordinance rather than three. by *Weaver.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1142** -- Insurance, Health, Accident - As introduced, establishes and revises requirements involving utilization review of preauthorizations for health care services. - Amends TCA Title 56. by *Green, *Norris. (HB926 by *Casada, *Durham)

***Senate Bill No. 1603** -- Administrative Procedure (UAPA) - As introduced, continues permanent rules filed with the secretary of state after January 1, 2013. by *Bell. (HB1673 by *Matheny, *Ragan)

Senate Bill No. 1675 -- Funeral Directors and Embalmers - As introduced, codifies requirements for the inspection of funeral establishments presently enforced pursuant to board rules; authorizes unannounced inspections of establishments by a licensed funeral director and embalmer acting on behalf of the board. - Amends TCA Title 62, Chapter 5, Part 2. by *Southerland, *Ford. (*HB1380 by *Forgety)

***Senate Bill No. 1692** -- Tennessee Higher Education Commission - As introduced, expands the duties of the executive director of THEC to ensure institutions develop and use electronic instructional materials and related information technology accessible to individuals with disabilities; creates the Accessibility Task Force to establish conformity with the director's

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new duties. - Amends TCA Title 49, Chapter 7, Part 2 and Title 49, Chapter 7, Part 20. by *Massey, *Gardenhire, *Tate, *Burks, *Crowe. (HB1857 by *Williams R, *Jernigan, *Pitts, *Dunn, *Brooks H, *DeBerry J, *Roach, *Akbari, *White M, *Coley, *Kane)

Senate Bill No. 1893 -- Boards and Commissions - As introduced, merges the board of barber examiners and the board of cosmetology into the newly created state board of cosmetology and barber examiners; restructures appointing authority to include governor and both speakers. - Amends TCA Title 4, Chapter 29, Part 2; Title 4, Chapter 3; Title 62, Chapter 3 and Title 62, Chapter 4. by *Bell. (*HB1730 by *Matheny)

***Senate Bill No. 2010** -- Planning, Public - As introduced, elevates the priority status of certain liens for court costs, expenses and receiver's fees levied relative to completion of a detailed development plan under the Neighborhood Preservation Act. - Amends TCA Title 13, Chapter 6. by *Tate. (HB1930 by *White M, *Coley, *Camper, *McManus, *Cooper, *Parkinson, *Akbari, *Hardaway)

***Senate Bill No. 2084** -- Criminal Offenses - As introduced, eliminates the statute of limitations for acts committed on or after July 1, 2014, that constitute the crimes of aggravated rape or rape. - Amends TCA Title 39 and Title 40. by *Norris, *Campfield, *Green, *Kelsey, *Gresham, *Ford, *Burks, *Beavers, *Crowe, *Haile, *Harper, *Johnson, *Overbey, *Stevens, *Tate, *Tracy, *Watson, *Yager. (HB2188 by *Towns, *McCormick, *Hardaway)

Senate Bill No. 2309 -- Tobacco Master Settlement Agreement - As introduced, updates and revises provisions of the Tennessee Tobacco Manufacturers' Escrow Fund Act of 1999. - Amends TCA Section 47-31-102; Section 47-31-103; Section 67-4-1028; Section 67-4-1029 and Title 67, Chapter 4, Part 26. by *McNally. (*HB1958 by *Sargent)

Senate Bill No. 2519 -- Education - As introduced, requires LEAs to survey students as to the availability of Internet in their homes and report results to the department of education; the department will report the results to the governor and the education committees of the house and senate. - Amends TCA Title 49. by *Massey, *Tate. (*HB2376 by *Armstrong, *Camper, *Akbari)

***Senate Bill No. 2539** -- Health, Dept. of - As introduced, removes the termination date of the department of health's pilot program authorizing county clerks to issue certified copies of birth certificates; deletes the provision making the pilot program applicable to only certain counties. - Amends TCA Section 68-3-206. by *McNally, *Overbey. (*HB2132 by *Ragan)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2514 -- Collierville -- House Local Government Committee

House Bill No. 2515 -- Rutherford County -- House Local Government Committee

House Bill No. 2516 -- Greeneville -- House Local Government Committee

House Bill No. 2517 -- New Johnsonville -- House Local Government Committee

House Bill No. 2518 -- Franklin County -- House Local Government Committee

House Bill No. 2519 -- Dunlap -- House Local Government Committee

House Bill No. 2520 -- Somerville -- House Local Government Committee

House Bill No. 2521 -- Dekalb County -- House Local Government Committee

House Bill No. 2522 -- Millington -- House Local Government Committee

House Bill No. 2523 -- Millington -- House Local Government Committee

CONSENT CALENDAR

House Bill No. 2389 -- Hospitals and Health Care Facilities - As introduced, revises the requirements for a nursing home's certificate of need for qualified partial relocation of certain nursing homes. - Amends TCA Title 68, Chapter 11, Part 16. by *Floyd.

***House Joint Resolution No. 649** -- Naming and Designating - Agriculture Literacy Week, November 16-22, 2014. by *Lollar.

***House Joint Resolution No. 668** -- Naming and Designating - "Child Abuse Prevention Month" April 2014. by *Williams R.

***House Joint Resolution No. 675** -- Naming and Designating - Supports the work and vision of International Justice Mission to end human slavery around the world, and recognizes October 1, 2014, as International Justice Mission Day. by *Williams R.

House Bill No. 2341 -- Naming and Designating - As introduced, names new TRICOR office building and warehouse complex in honor of Patricia Weiland. - Amends TCA Section 41-22-406. by *Love, *Brooks H, *Pitts, *Gilmore, *Brooks K, *Pody.

***House Bill No. 1920** -- Health, Dept. of - As introduced, clarifies that the issuance, execution or revocation of organ donation consent forms and advance directives are voluntary acts. - Amends TCA Title 32, Chapter 11 and Title 68. by *Evans.

***House Bill No. 2132** -- Health, Dept. of - As introduced, removes the termination date of the department of health's pilot program authorizing county clerks to issue certified copies of birth certificates; deletes the provision making the pilot program applicable to only certain counties. - Amends TCA Section 68-3-206. by *Ragan.

On motion, House Bill No. 2132 was made to conform with **Senate Bill No. 2539**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2498** -- Milan - As introduced, subject to local approval, requires vacancies on the board of mayor and aldermen to be filled for the remainder of the unexpired term rather than until after a special or regular election. - Amends Chapter 7 of the Private Acts of 1999. by *Halford.

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House Bill No. 2119 -- Bristol - As introduced, subject to local approval, establishes that persons appointed to fill vacancies on the city council as a result of death or resignation shall serve until the next city election; presently, persons appointed to fill such vacancies serve until the next city or general election. - Amends Chapter 80 of the Private Acts of 1971, as amended. by *Lundberg, *Faison.

House Bill No. 1951 -- Building Commission, State - As introduced, clarifies that plans are not required to be submitted prior to approval when real property contracts are awarded after the commission approves the utilization of an alternative delivery method. - Amends TCA Section 4-15-102. by *Sanderson.

***House Joint Resolution No. 645** -- Memorials, Congress - Urges Congress to support efforts to bring low-cost loans to military service members. by *Shaw.

House Bill No. 805 -- Sunset Laws - As introduced, repeals the authority of the state to participate in the Surplus Lines Insurance Multi-State Compliance Compact. - Amends TCA Title 4, Chapter 29 and Title 56, Chapter 14. by *Matheny, *Ragan.

On motion, House Bill No. 805 was made to conform with **Senate Bill No. 356**; the Senate Bill was substituted for the House Bill.

House Bill No. 1579 -- Sunset Laws - As introduced, extends the soil scientist advisory committee, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 18, Part 2. by *Matheny, *Ragan.

House Bill No. 1589 -- Sunset Laws - As introduced, extends the board of appeals for the department of human resources, June 30, 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 8, Chapter 30, Part 1. by *Matheny, *Ragan.

House Bill No. 1637 -- Sunset Laws - As introduced, extends the Doe Mountain recreation authority, June 30, 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 25, Part 1. by *Matheny, *Ragan.

House Bill No. 1729 -- Sunset Laws - As introduced, creates a June 30, 2016, sunrise provision for the Memphis regional megasite authority. - Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 6, Part 1. by *Matheny.

On motion, House Bill No. 1729 was made to conform with **Senate Bill No. 1736**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2203** -- Sunset Laws - As introduced, extends the department of children's services, June 30, 2017. - Amends TCA Title 4, Chapter 29, Part 2; Title 4, Chapter 3, Part 1 and Title 37, Chapter 5. by *Matheny.

House Resolution No. 180 -- Memorials, Public Service - Hannah Bryant, Maury County Volunteer Star of the Year. by *Butt.

House Resolution No. 181 -- Memorials, Recognition - Annie Hardison, Maury County's Adult Governor's Volunteer Star of the Year. by *Butt, *Shepard.

House Resolution No. 182 -- Memorials, Recognition - Billy Block. by *Gilmore.

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House Resolution No. 183 -- Memorials, Sports - Cumberland County High School cheerleaders. by *Sexton, *Bailey.

House Resolution No. 184 -- Memorials, Recognition - Summer Owens. by *Hardaway.

House Joint Resolution No. 766 -- Memorials, Professional Achievement - Tori Ruis, Tennessee Assistant Principal of the Year. by *Sparks.

House Joint Resolution No. 767 -- Memorials, Recognition - Mayor Bryan Atchley, 13th Annual Sevier County Citizenship Award. by *Carr D, *Farmer.

House Joint Resolution No. 768 -- Memorials, Retirement - Brother Robert "Bob" Evans, Lebanon. by *Pody.

House Joint Resolution No. 769 -- Memorials, Recognition - Reverend Denny Charles Shepard. by *Pody.

House Joint Resolution No. 770 -- Memorials, Recognition - Hannah Denson, Prudential Spirit of Community Award. by *Johnson C.

House Joint Resolution No. 771 -- Memorials, Retirement - William E. "Bill" Danner. by *Watson.

House Joint Resolution No. 772 -- Memorials, Retirement - Warner C. Taylor, Jr. by *Shepard, *Littleton.

House Joint Resolution No. 773 -- Memorials, Recognition - John N. Lee and the 100th anniversary of his company, Rock City Construction Co., Inc. by *Casada, *Durham, *Sargent.

House Joint Resolution No. 774 -- Memorials, Recognition - Alaina Wood, Governor's Volunteer Star of the Year. by *Hill M.

House Joint Resolution No. 775 -- Memorials, Recognition - J. Bruce Saltsman, Sr. by *Doss.

House Joint Resolution No. 776 -- Memorials, Recognition - Commemorates June 2014 as "Gun Violence Awareness Month". by *Miller, *Shaw, *Favors, *Jones, *Gilmore, *Johnson G, *Fitzhugh, *Shepard, *Pitts, *Camper.

House Joint Resolution No. 777 -- Memorials, Recognition - First Baptist Church of Lenoir City, 120th anniversary. by *Matlock, *Calfee.

House Joint Resolution No. 778 -- Memorials, Professional Achievement - Corporal Matthew Hampton, Palmer Veterans Appreciation Award. by *Bailey.

House Joint Resolution No. 779 -- Memorials, Personal Occasion - Aubrey Williams, 103rd birthday. by *Bailey.

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House Joint Resolution No. 780 -- Memorials, Recognition - Nick Cunningham, Governor's Volunteer Stars Award. by *Pitts, *Johnson C, *Tidwell.

House Joint Resolution No. 789 -- Memorials, Sports - Pigeon Forge High School Wrestling Team, 2014 Tennessee A-AA State Duals Champions. by *Carr D, *Farmer.

Senate Joint Resolution No. 635 -- Memorials, Academic Achievement - Brandon Johnson, Valedictorian, Watertown High School. by *Beavers.

Senate Joint Resolution No. 636 -- Memorials, Academic Achievement - Matthew Putnam, Valedictorian, Watertown High School. by *Beavers.

Senate Joint Resolution No. 637 -- Memorials, Academic Achievement - Alicia Baskin, Salutatorian, Watertown High School. by *Beavers.

Senate Joint Resolution No. 638 -- Memorials, Academic Achievement - Damien Shipper, Valedictorian, Watertown High School. by *Beavers.

Senate Joint Resolution No. 639 -- Memorials, Academic Achievement - Diana Phillips, Valedictorian, Smith County High School. by *Beavers.

Senate Joint Resolution No. 640 -- Memorials, Academic Achievement - Timothy D. Jones II, Valedictorian, Watertown High School. by *Beavers.

Senate Joint Resolution No. 641 -- Memorials, Academic Achievement - Amanda Lynn Corey, Salutatorian, Watertown High School. by *Beavers.

Senate Joint Resolution No. 642 -- Memorials, Academic Achievement - Kristy Hatcher, Valedictorian, Clay County High School. by *Beavers.

Senate Joint Resolution No. 643 -- Memorials, Academic Achievement - Jaylan Chad Hancock, Salutatorian, Clay County High School. by *Beavers.

Senate Joint Resolution No. 644 -- Memorials, Academic Achievement - Jacob Azbell, Salutatorian, Smith County High School. by *Beavers.

Senate Joint Resolution No. 645 -- Memorials, Academic Achievement - Mayson Burgener, Valedictorian, Red Boiling Springs High School. by *Beavers.

Senate Joint Resolution No. 646 -- Memorials, Academic Achievement - Kelsey Jenkins, Valedictorian, Red Boiling Springs High School. by *Beavers.

Senate Joint Resolution No. 647 -- Memorials, Academic Achievement - Adabella Nunez, Salutatorian, Red Boiling Springs High School. by *Beavers.

Senate Joint Resolution No. 659 -- Memorials, Recognition - Helping Hands and Linking Arms Season of Service. by *Massey.

Senate Joint Resolution No. 662 -- Memorials, Death - Martha Ellen Maxwell. by *Kyle.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1951: by Rep. M. Turner

House Resolution No. 184: by Rep. Hardaway

Under the rules, House Bill(s) No(s). 1951 and House Resolution(s) No(s). 184 were placed at the heel of the calendar for March 20, 2014.

Rep. Lollar moved that all members be added as co-prime sponsors to House Joint Resolution No. 649, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. R. Williams moved that all members voting aye on House Joint Resolution No. 668 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1697** -- Education - As introduced, requires cursive writing to be taught in the third grade. - Amends TCA Title 49, Chapter 6, Part 10. by *Butt, *White D, *Brooks H, *White M, *Forgety, *Moody, *Spivey, *Littleton, *Bailey, *Goins, *Rogers, *Weaver, *Cooper, *Akbari, *Camper, *Hardaway, *Johnson C, *Rich, *Dean, *Todd, *Hall, *Sanderson, *Towns, *Haynes. (SB1881 by *Niceley)

Further consideration of House Bill No. 1697 previously considered on March 10, 2014, at which time it was reset for today's Calendar.

Rep. Butt moved that House Bill No. 1697 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1697 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following language as a new section:

49-6-10__.

(a) The state board of education shall include cursive writing in the course of instruction in all public schools through the curriculum standards, at the appropriate grade level, as determined by the state board of education. The local board of education, in providing instruction in cursive writing, shall design curriculum, courses and content to enable students to create readable documents through legible cursive handwriting.

(b) The commissioner of education shall advise all local boards of education of the requirements of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

CLERK ANNOUNCEMENT

The Clerk announced that the following Amendments filed on **House Bill 1697** have been deemed unconstitutional according to **Article II, Section 17**, which states "No bill shall become law which embraces more than one subject, that subject to be expressed in the title.": Amendment(s) No(s). 2, 3, 4, 5, 6 and 7.

REGULAR CALENDAR, CONTINUED

Rep. Faison moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Rogers moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Van Huss moved that Amendment No. 4 be withdrawn, which motion prevailed.

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Rep. McCormick requested that Amendment No. 5 be placed at the heel of the amendments.

Rep. Floyd moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Moody moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. M. Hill moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Butt moved that **House Bill No. 1697**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes.....	6
Present and not voting.....	1

Representatives voting aye were: Akbari, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Towns, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 85

Representatives voting no were: Armstrong, Pitts, Pody, Powell, Stewart, Turner J -- 6

Representatives present and not voting were: Johnson G -- 1

A motion to reconsider was tabled.

House Bill No. 2359 -- Garnishments and Executions - As introduced, prohibits a person from claiming property that was purchased or maintained with funds by fraud or the ownership of which was maintained with funds obtained by fraud, as part of the personal property or homestead exemptions. - Amends TCA Title 26. by *Carter. (*SB2448 by *Gardenhire)

Rep. Carter moved that House Bill No. 2359 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2359 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 26-2-103, is amended by designating the current language as subsection (a) and by adding the following as a new subsection (b):

(b) An item shall not be eligible, in whole or in part, for the personal property exemption provided by this part, if the item has been purchased with or maintained by fraudulently obtained funds or if ownership of the item has been maintained using fraudulently obtained funds. A court shall be required to find by a preponderance of the evidence that an item was purchased with or maintained by funds obtained by defrauding another person or that ownership of an item was maintained by funds obtained by defrauding another person in order to disqualify the item from eligibility for the personal property exemption.

SECTION 2. Tennessee Code Annotated, Title 26, Chapter 2, Part 3, is amended by adding the following as a new section:

26-2-312.

Property shall not be eligible, in whole or in part, for the homestead exemption provided by this part, if the property has been purchased with or maintained by fraudulently obtained funds or if ownership of the property has been maintained using fraudulently obtained funds. A court shall be required to find by a preponderance of the evidence that the property was purchased with or maintained by funds obtained by defrauding another person or that ownership of the property was maintained by funds

obtained by defrauding another person in order to disqualify the property from eligibility for the homestead exemption.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Carter moved that **House Bill No. 2359**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

House Bill No. 1869 -- Search & Seizure - As introduced, prohibits a law enforcement officer from searching or extracting any data from a cellular telephone unless the officer has obtained a search warrant for the data obtained, and makes any such data illegally obtained inadmissible as evidence in a court or administrative hearing. - Amends TCA Title 40, Chapter 6, Part 1. by *Carter, *Lynn, *Littleton, *Moody. (*SB1757 by *Beavers)

Rep. Carter moved that House Bill No. 1869 be reset for the Regular Calendar on March 20, 2014, which motion prevailed.

***House Bill No. 1799** -- Education, Dept. of - As introduced, revises the reason for which an LEA may apply to the commissioner for a waiver of a state board rule or regulation from "it inhibits or hinders the LEA's ability to implement innovative programs designed to improve student achievement" to "it inhibits or hinders the LEA's ability to meet its goals or comply with its mission". - Amends TCA Title 49, Chapter 1. by *Swann, *Forgety, *Fitzhugh, *White M, *Marsh, *Brooks H, *Casada. (SB2392 by *Overbey, *McNally)

Rep. Swann moved that House Bill No. 1799 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1799 by deleting the word "and" at the end of subdivision (1)(J) in SECTION 1 of the bill.

AND FURTHER AMEND by deleting the punctuation "." at the end of subdivision (1)(K) in SECTION 1 of the bill and substituting instead the punctuation ";;".

AND FURTHER AMEND by adding the following language as new subdivisions (L) and (M) at the end of subdivision (1) in SECTION 1 of the bill:

(L) Educators' due process rights; and

(M) Reductions in teachers' salaries.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Swann moved that **House Bill No. 1799**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Hardaway,

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Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

House Bill No. 2048 -- Criminal Offenses - As introduced, prohibits a private entity that performs criminal background checks from reporting that a person has been convicted of an offense, if the offense has been expunged. - Amends TCA Title 40. by *Gilmore, *Hardaway, *Cooper, *Camper, *Akbari, *Turner J. (*SB2149 by *Tate)

Rep. Gilmore moved that House Bill No. 2048 be passed on third and final consideration.

Rep. Faison moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2048 by deleting subsection (i) of SECTION 1 and substituting instead the following language:

(i) Any private entity that performs criminal background checks shall not report that a person has been convicted of an offense, if the private entity has actual knowledge that the offense has been expunged pursuant to this section. This subsection shall not apply to a consumer reporting agency in compliance with the dispute resolution procedures of 15 U.S.C. § 1681i.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Gilmore moved that **House Bill No. 2048**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Joint Resolution No. 663** -- Memorials, Government Officials - Urges EPA to respect primacy of Tennessee and other states, and to rely on state regulators to develop performance standards when issuing federal guidelines for regulating carbon dioxide emissions from existing fossil-fueled power plants. by *VanHuss.

Rep. Van Huss moved adoption of House Joint Resolution No. 663.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 663 by deleting the second resolving clause of the introduced resolution in its entirety and by substituting instead the following:

BE IT FURTHER RESOLVED, that the EPA should issue guidelines and approve state-established performance standards that are based on reductions of carbon dioxide emissions achievable by measures undertaken at fossil-fueled power plants, but provide the broadest flexibility to states to achieve equivalent reductions in the most cost-effective way.

AND FURTHER AMEND by deleting the fourth resolving clause in its entirety and by substituting instead the following:

BE IT FURTHER RESOLVED, that Tennessee and other states should be given maximum flexibility by the EPA to implement carbon dioxide performance standards for fossil-fueled power plants within their jurisdiction, taking into account remaining useful life of the existing source to which the standards apply and cost of controls.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Van Huss moved adoption of **House Joint Resolution No. 663**, as amended, which motion prevailed by the following vote:

Ayes	88
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Casada, Coley, Cooper, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart,

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Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 88

Representatives present and not voting were: Johnson G -- 1

A motion to reconsider was tabled.

***House Bill No. 2410** -- Election Laws - As introduced, requires election officials to examine documents and petitions before accepting them for filing to ensure all required information is provided properly and filing deadlines are met; presumes that documents and petitions accepted for filing have met all requirements for filing. - Amends TCA Title 2. by *VanHuss, *Goins, *Hill M, *Holt, *Floyd, *Hall, *Sparks, *Watson, *Shipley, *Spivey, *Butt, *Matheny, *Carr J, *Rogers, *Ragan, *Bailey, *Matlock. (SB2498 by *Niceley)

Rep. Van Huss moved that House Bill No. 2410 be reset for the Regular Calendar on March 20, 2014, which motion prevailed.

***House Bill No. 1968** -- Insurance, Health, Accident - As introduced, extends the time for a respondent to request a hearing after receiving a cease and desist order from 15 to 20 days for purposes of statute requiring timely reimbursement of health insurance claims. - Amends TCA Title 56. by *Keisling. (SB2172 by *Bell, *Yager)

Rep. Keisling moved that House Bill No. 1968 be passed on third and final consideration.

Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1968 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-6-1301(3), is amended by inserting the language "or a hospital licensed in this state under title 68 or title 33" between the language "insurance producer" and ", who".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Insurance and Banking Committee Amendment No. 1 was adopted.

Rep. Keisling moved that **House Bill No. 1968**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

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Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). Womick was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 1713 -- Pharmacy, Pharmacists - As introduced, deletes the Intractable Pain Treatment Act. - Amends TCA Title 39; Title 53; Title 63 and Title 68. by *Williams R, *Weaver. (*SB1819 by *Bowling, *Yager)

Rep. R. Williams moved that House Bill No. 1713 be passed on third and final consideration.

Rep. Faison moved the previous question, which motion prevailed.

Rep. R. Williams moved that **House Bill No. 1713** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes.....	4
Present and not voting.....	1

Representatives voting aye were: Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 85

Representatives voting no were: Hardaway, Parkinson, Shaw, Turner J -- 4

Representatives present and not voting were: Akbari -- 1

A motion to reconsider was tabled.

***House Bill No. 1427** -- Controlled Substances - As introduced, provides for immunity from civil liability for prescribers of opioid antagonists and those who administer it in order to address opioid-related drug overdoses. - Amends TCA Title 63, Chapter 1, Part 1. by *McCormick, *Williams R, *Brooks K, *Dunn, *Brooks H. (SB1631 by *Norris, *Overbey)

On motion, House Bill No. 1427 was made to conform with **Senate Bill No. 1631**; the Senate Bill was substituted for the House Bill.

Rep. R. Williams moved that **Senate Bill No. 1631** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 2

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Dennis, Lundberg -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1713** and have this statement entered in the Journal: Rep(s). Pody.

REGULAR CALENDAR, CONTINUED

House Bill No. 2101 -- Motor Vehicles, Titling and Registration - As introduced, prohibits law enforcement agencies and certain state departments from storing license plate records collected via automatic license plate readers for longer than two years. - Amends TCA Title 55, Chapter 10, Part 3. by *Faison. (*SB1664 by *Kelsey, *Campfield)

On motion, House Bill No. 2101 was made to conform with **Senate Bill No. 1664**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1664 be passed on third and final consideration.

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Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Towns moved the previous question, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1664** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	6

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sargent, Sexton, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Windle, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Casada, Marsh, Roach, Shaw, Williams R, Wirgau -- 6

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1631** and have this statement entered in the Journal: Rep(s). Goins.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1713** and have this statement entered in the Journal: Rep(s). Goins.

REGULAR CALENDAR, CONTINUED

House Bill No. 1772 -- Personal Property - As introduced, requires a person who repossesses a vehicle to conduct a personal property inventory; requires a repossession business to maintain personal property inventory and disposition records for a period of two years. - Amends TCA Title 29, Chapter 30; Title 47; Title 55, Chapter 5; Title 62 and Title 66. by *Sparks, *Ragan, *Rogers, *Matheny, *Towns, *Womick, *Carr J, *DeBerry J, *Spivey, *Faison, *Hardaway, *Pody, *Casada. (*SB1844 by *Summerville)

Rep. Sparks moved that House Bill No. 1772 be reset for the Regular Calendar on March 20, 2014, which motion prevailed.

House Bill No. 1916 -- Election Laws - As introduced, authorizes the county election commissions in counties that share a municipality to designate, by agreement, a polling place and early voting location within the limits of the municipality but outside the boundaries of one of the respective counties; authorizes voters residing within the limits of a municipality that is located within two counties to vote at the location established by such agreement. - Amends TCA Title 2. by *Evans, *Hill M. (*SB1901 by *Haile)

On motion, House Bill No. 1916 was made to conform with **Senate Bill No. 1901**; the Senate Bill was substituted for the House Bill.

Rep. Evans moved that Senate Bill No. 1901 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1901 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-3-101, is amended by adding the following language as a new subsection:

(c) Notwithstanding any law to the contrary, if a municipality is located within two (2) or more counties of the state, then the county election commissions of each respective county may, by written mutual agreement of the counties, designate one (1) polling place outside the boundaries of one (1) of the respective counties; provided, that the polling place is located within the limits of the municipality and within five hundred feet (500') of the county boundary line. Voters residing within the precinct are authorized to vote at the polling place established by the county election commissions in accordance with this subsection (c).

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 6, Part 1, is amended by adding the following language as a new, appropriately designated section:

Notwithstanding any law to the contrary, if a municipality is located within two (2) or more counties of the state, then the county election commissions of each respective county may, by written mutual agreement of the counties, designate one (1) satellite location for early voting outside the boundaries of one (1) of the respective counties; provided, that the location for early voting is within the limits of the municipality and within five hundred feet (500') of the county boundary line.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Evans moved that **Senate Bill No. 1901**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Gilmore -- 1

A motion to reconsider was tabled.

***House Bill No. 1516** -- Taxes, Gasoline, Petroleum Products - As introduced, establishes a diesel gallon equivalent for purposes of determining the tax on liquefied gas. - Amends TCA Title 67. by *Brooks K. (SB1746 by *Watson, *Ketron)

Rep. K. Brooks moved that **House Bill No. 1516** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). J. DeBerry was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 1539 -- Banks and Financial Institutions - As introduced, allows industrial loan and thrift companies to charge a convenience fee for accepting payment through electronic means. - Amends TCA Section 45-5-403. by *Brooks K. (*SB1486 by *Bell, *Gardenhire)

On motion, House Bill No. 1539 was made to conform with **Senate Bill No. 1486**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that Senate Bill No. 1486 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. K. Brooks moved that **Senate Bill No. 1486** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes.....	7

Representatives voting aye were: Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 84

Representatives voting no were: Akbari, Cooper, Johnson G, Parkinson, Powell, Stewart, Windle -- 7

A motion to reconsider was tabled.

CHAIR TO JOHNSON

Madam Speaker Harwell relinquished the chair to Rep. C. Johnson, Speaker Pro Tempore.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1516** and have this statement entered in the Journal: Rep(s). J. DeBerry.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1468** -- County Government - As introduced, allows counties to donate parcels of real property to nonprofit charitable organizations upon a 2/3 vote of the legislative body. - Amends TCA Title 5, Chapter 7 and Title 5, Chapter 9. by *Ragan. (SB2320 by *McNally, *Yager)

On motion, House Bill No. 1468 was made to conform with **Senate Bill No. 2320**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 2320 be passed on third and final consideration.

Rep. M. Hill moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Ragan moved that **Senate Bill No. 2320** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick -- 94

A motion to reconsider was tabled.

House Bill No. 1675 -- Malpractice (Other Than Healthcare) - As introduced, establishes a five year statute of repose for actions against an attorney or accountant. - Amends TCA Title 28, Chapter 3. by *Dennis. (*SB1506 by *Kelsey)

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On motion, House Bill No. 1675 was made to conform with **Senate Bill No. 1506**; the Senate Bill was substituted for the House Bill.

Rep. Dennis moved that **Senate Bill No. 1506** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	10
Present and not voting.....	3

Representatives voting aye were: Armstrong, Bailey, Brooks H, Butt, Calfee, Carr D, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McDaniel, McManus, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick -- 74

Representatives voting no were: Akbari, Carr J, Cooper, Dunn, Hardaway, McCormick, Miller, Parkinson, Towns, Williams K -- 10

Representatives present and not voting were: Camper, Fitzhugh, Windle -- 3

A motion to reconsider was tabled.

***House Bill No. 555** -- Optometry - As introduced, deletes the exemption to the prohibition on optometrists practicing in a retail store or other commercial establishment for optometrist who practiced in the retail or commercial establishment prior to April 17, 1967. - Amends TCA Title 63, Chapter 8. by *Dennis. (SB220 by *Overby)

Rep. Dennis moved that House Bill No. 555 be reset for the Regular Calendar on March 24, 2014, which motion prevailed.

***House Bill No. 2038** -- Criminal Offenses - As introduced, increases the penalty for electronic tracking of motor vehicles from a Class C misdemeanor to a Class A misdemeanor. - Amends TCA Title 39, Chapter 13, Part 6. by *Mitchell. (SB2215 by *Kyle)

Rep. Mitchell moved that House Bill No. 2038 be passed on third and final consideration.

Rep. Parkinson moved the previous question, which motion prevailed.

MONDAY, MARCH 17, 2014 –FIFTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Mitchell moved that **House Bill No. 2038** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	13
Present and not voting.....	1

Representatives voting aye were: Akbari, Armstrong, Bailey, Calfee, Camper, Carr D, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Lamberth, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Travis, Turner M, Van Huss, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 78

Representatives voting no were: Brooks H, Butt, Carr J, Carter, Cooper, Dunn, Littleton, Lynn, Moody, Ragan, Towns, Turner J, Weaver -- 13

Representatives present and not voting were: Gilmore -- 1

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Madam Speaker Harwell resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1931** -- Education - As introduced, revises various provisions governing the baccalaureate education system trust fund program; requires department of revenue to assist board of trustees of the program in the implementation of certain tax incentives. - Amends TCA Title 49, Chapter 7, Part 8; Title 55, Chapter 4; Title 67, Chapter 2 and Title 67, Chapter 4. by *White M. (SB2106 by *Gresham)

Rep. M. White moved that House Bill No. 1931 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1931 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-802, is amended by adding the following as new, appropriately designated subdivisions:

() “Account owner” means an individual, association, corporation, trust, charitable organization, or other such entity that establishes an educational investment trust account pursuant to this part or that is otherwise listed as the owner of an education investment trust account;

() “Code” means Section 529 of the Internal Revenue Code of 1986, codified in 26 U.S.C. § 529, as amended and all rules, regulations, notices and interpretations released by the United States treasury, including the internal revenue service;

() “Contributor” means one (1) or more individuals, associations, corporations, trusts, charitable organizations, or other such entities that contributes money or makes a payment to an educational investment trust account established pursuant to this part;

() “Educational investment trust account” means an account that is established by an account owner intended to be applied to an account beneficiary’s qualified higher education expenses;

() “Eligible educational institution” shall have the same meaning as set forth in Section 529 of the Internal Revenue Code of 1986, and the rules promulgated thereunder, or other applicable federal law.

() “Qualified higher education expenses” shall have the same meaning as set forth in Section 529 of the Internal Revenue Code of 1986, and the rules promulgated thereunder, or other applicable federal law;

() “Redemption value” means the cash value of the educational investment trust account attributable to the sum of the principle invested, the interest earned or losses incurred in the principal, less any fees imposed by rule of the board;

() “Trust fund” means the educational investment trust fund or the educational services trust fund established pursuant to § 49-7-812;

SECTION 2. Tennessee Code Annotated, Section 49-7-802(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1) “Beneficiary” for the purposes of the educational investment plan, means an individual designated by the account owner and who meets the requirements of the code. For the purposes of the educational services plan, “beneficiary” means an individual designated under a tuition contract as the individual entitled to apply tuition units purchased under the contract to the payment of that individual’s undergraduate, graduate and professional tuition, and other educational costs. For purposes of the educational services plan, the beneficiary or the

purchaser shall have been a resident of this state at the time the contract was entered into by the purchaser and the board;

SECTION 3. Tennessee Code Annotated, Section 49-7-802(3), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(3) “Educational investment plan” means a plan that permits an account owner to establish an educational investment trust account and one or more contributors to make contributions to an educational investment trust account that is intended to be applied to an account beneficiary’s qualified higher education expenses;

SECTION 4. Tennessee Code Annotated, Section 49-7-805(5), is amended by deleting the subdivision in its entirety.

SECTION 5. Tennessee Code Annotated, Section 49-7-802(7), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(7) “Program” means the baccalaureate education system trust fund program created in this part. The program may be comprised of two (2) types of qualified tuition plans as defined by the code, including one (1) or more educational investment plan or plans, which may consist of several different investment offerings or one (1) or more educational services plan or plans. Except as otherwise provided, all terms, conditions and limitations shall apply equally to both types of qualified tuition plans;

SECTION 6. Tennessee Code Annotated, Section 49-7-802(8), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(8) “Purchaser” means an individual, association, corporation, trust, charitable organization or other such entity that enters into a tuition contract under this part for the purchase of a tuition unit or units on behalf of a beneficiary relative to the educational services plan;

SECTION 7. Tennessee Code Annotated, Section 49-7-803, is amended by deleting the section in its entirety and by substituting instead the following:

Article XI, §12 of the Tennessee Constitution manifests the intention of the citizens of this state that the advancement and improvement of higher education in this state is an essential governmental function and purpose of this state. Therefore, the general assembly finds that the creation of a trust program, as an agency and instrumentality of the state, to assist students or their families in financing a portion of the costs of attending colleges and universities will increase the number of students who will seek to attend a college or university, and will, therefore, advance and improve higher education in this state. It

is, therefore, the legislative intent of this part to establish an educational trust program as an agency and instrumentality of the state to assist families in saving and investing for the qualified higher education expenses of attending an eligible educational institution, and thereby to encourage such students to attend such institutions. In establishing the program, it is further the intent of the general assembly to encourage timely financial planning for higher education by the creation of tuition contracts and the creation of educational investment plan accounts, and to provide assistance and incentives for college savings for the benefit of the children of the people of the state. It is the legislative intent that the program be funded from fees assessed in accordance with §49-7-805(10).

SECTION 8. Tennessee Code Annotated, Section 49-7-804(g), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(g) The board may delegate to the state treasurer the duty to carry out the day-to-day operations and responsibilities of the program. In exercising the delegation, the state treasurer shall be authorized to exercise such powers as are vested in the board that are necessary to fulfill the delegated duties and responsibilities; may assign any duties and responsibilities to the state treasurer's staff or private vendors and contractors, as the state treasurer deems necessary and proper; and may consult with professionals as necessary about the administration of the program. The state treasurer may also establish policies, guidelines and operating procedures in exercising the state treasurer's delegation from the board.

SECTION 9. Tennessee Code Annotated, Section 49-7-805, is amended by adding the following language as a new, appropriately designated subdivision:

() Operate and provide, itself or through its designees, for the operation of the educational investment plan or plans in a manner that qualifies the plan or plans under the code and takes any and all necessary action to maintain such qualification; provided, that the account owner's rights to fund the respective accounts shall not be limited or impaired.

SECTION 10. Tennessee Code Annotated, Section 49-7-805(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1) Invest any funds of the trust fund in any instrument, obligation, security or property that constitutes legal investments for assets of the Tennessee consolidated retirement system as described in §8-37-104, and as may otherwise be provided herein or approved by the board;

SECTION 11. Tennessee Code Annotated, Section 49-7-805(4), is amended by deleting the language in the subsection in its entirety and by substituting instead the following:

(4) Contract for the provision of all or any part of the services necessary for the management and operation of the program. The board may also contract with any other college savings program established pursuant to § 529 of the Internal Revenue Code, codified in 26 U.S.C. § 529, in order to provide similar benefits for Tennessee residents. The board may further establish, or contract for the establishment of, an incentive plan or plans to encourage Tennessee residents to participate in any such other college savings program or in any § 529 college savings program established by the state. The board may delegate to the state treasurer the authority to implement such incentives; such implementation shall include, but not be limited to determining the amount of the incentives not to exceed an amount approved by the board, the length of time the incentives shall be available and the method by which the incentives shall be provided. Through the board's delegation, the state treasurer may establish and administer a plan to implement the incentives which the state treasurer may change from time to time without additional board authorization. The incentive plan or plans may consist, in whole or in part, of rebates, grants, scholarships or tax incentives to individual savings accounts established by or on behalf of Tennessee residents in any such college savings program and tax incentives, including but not limited to, the income tax prescribed in §67-2-102; the professional privilege tax prescribed in §67-4-1702; the passenger motor vehicle registration renewal fee prescribed in title 55, chapter 4 or wheel tax prescribed in §7-51-703, for Tennessee residents who establish individual savings accounts in any such college savings program. The board may approve the expenditure of such funds, or funds using other services or programs deemed necessary or appropriate by the board to encourage college savings by Tennessee residents within its approved annual budget. The state treasurer is authorized, but not required, to use forms of electronic payment, including, but not limited to, prepaid debit cards to provide such incentives. Notwithstanding this subdivision (4) or any other law to the contrary, the availability of the amount of the incentive or the cost to cover any other services or programs authorized by this subdivision (4) if intended to be funded by state funds shall be subject to the appropriation of funds in the general appropriations act for the purposes set forth in this subdivision (4) or from any amount collected by the board under subdivision (7);

SECTION 12. Tennessee Code Annotated, Section 49-7-805(5), is amended by adding the language “derived from the trust funds” between the word “earnings and the punctuation “;”.

SECTION 13. Tennessee Code Annotated, Section 49-7-805(9), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(9) Impose reasonable limits on the number of contract participants in the educational services program at any given period of time;

SECTION 14. Tennessee Code Annotated, Section 49-7-805(12), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(12) Impose limits on the amount of contributions that may be made on behalf of any beneficiary under the educational investment plan or plans;

SECTION 15. Tennessee Code Annotated, Section 49-7-805(16), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(16) Promulgate reasonable substantive and procedural rules as are necessary to carry out the purpose and intent of this part and to ensure that the program is in compliance with the code and other applicable provisions of federal and state law. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5; and

SECTION 16. Tennessee Code Annotated, Section 49-7-808, is amended by deleting the section in its entirety and by substituting instead the following:

(a) An educational investment plan is established whereby an account owner may participate to create an account in such plan and shall allow any contributor to make contributions to such an account intending for such contributions and any earnings thereon to be applied toward the qualified higher education expenses of a beneficiary.

(b) The account owner retains ownership of all amounts on deposit in such account unless otherwise provided herein. Earnings accrued to the account shall be considered to be held in trust in the same manner as contributions. Amounts on deposit therein shall be available for expenses and penalties imposed by the plan. An educational investment trust account created on behalf of a beneficiary under this part shall entitle the beneficiary to an amount equal to the funds on deposit in the account during the academic term in which the funds are needed to cover the beneficiary's tuition and other qualified higher education expenses at the eligible educational institution at which the beneficiary is enrolled, not to exceed the redemption value of the account.

(c) The board may develop one (1) or more plans for offering educational investment trust accounts. The plans shall include, but shall not be limited to, the investment vehicles for investing the contributions made to such accounts. The board may cause the imposition and collection of reasonable administrative fees and charges in connection

with the creation and maintenance of such educational investment trust accounts.

(d) The funds from the small and minority-owned business assistance program that are transferred to the board pursuant to §65-5-113(c) shall be used for the establishment of an incentive plan or plans as authorized in § 49-7-805(4) for the benefit of low-income individuals. The board shall have the authority to promulgate rules relative to the implementation and administration of the incentive plan or plans. The state treasurer shall be responsible for the day-to-day administration of such incentive plan or plans as established by the board.

SECTION 17. Tennessee Code Annotated, Section 49-7-810(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) Each tuition unit purchased under an educational services plan tuition contract shall cover the cost of the beneficiary's tuition in an amount no greater than one percent (1%) of the weighted average tuition in effect at Tennessee's four-year public universities at the time of use. There is no guarantee by the board, the state, the program or anyone that the contributions, together with the investment return on the contributions, if any, earned on the educational investment trust account will be adequate to pay qualified higher education expenses incurred for the beneficiary or that the amounts contributed to any such account is guaranteed or insured.

SECTION 18. Tennessee Code Annotated, Section 49-7-811(h), is amended by deleting the subsection in its entirety and by substituting instead the following:

(h) Notwithstanding any law to the contrary, the board may promulgate substantive and procedural rules to permit a refund recipient to withdraw part of the balance from an educational investment account established under the educational investment plan without causing termination of the tuition contract and without requiring the refund recipient to establish that the withdrawn amount will be used to pay the tuition or other educational costs of the beneficiary.

SECTION 19. Tennessee Code Annotated, Section 49-7-812, is amended by deleting the section in its entirety and by substituting instead the following:

(a) There are created two (2) Tennessee baccalaureate education system trust funds, the educational investment trust fund and the educational services trust fund. The board, or if designated by the board, the state treasurer shall serve as trustee. These funds shall be held and maintained as separate accounts as provided below:

(1) The educational investment trust fund shall consist solely of:

(A) Contributions received by the board from account owners or contributors on behalf of beneficiaries for a particular educational investment trust account or from any other source public or private;

(B) All interest and investment income earned by such fund;

(C) Any monetary gift of any nature made by any individual by testamentary disposition, including, but not limited to, any specific monetary gift or bequeath made by will, trust or other disposition; and

(D) All other receipts of the board from any other source that the board determines appropriate.

(2) The educational services trust fund shall consist solely of:

(A) Payments received by the board from purchasers on behalf of beneficiaries pursuant to educational services plan contracts or from any other source, public or private;

(B) All interest and investment income earned by the fund;

(C) Any monetary gift of any nature made by any individual by testamentary disposition, including, but not limited to, any specific monetary gift or bequeath made by will, trust or other disposition; and

(D) All other receipts of the board from any other source that the board determines appropriate.

(b) The board shall maintain an account for each tuition contract showing the beneficiary of that educational services plan contract. The account shall also show the number of tuition units purchased pursuant to that contract if the contract involves the educational services plan.

(c) The assets of the educational services trust fund shall be preserved, invested and expended solely pursuant to and for the purposes of this part and shall not be loaned or otherwise transferred or used for any other purpose. The assets of the funds shall be expended solely to:

(1) Make payments to, or on behalf of, beneficiaries pursuant to §§ 49-7-807(a) and 49-7-808(a);

(2) Make refunds as provided in § 49-7-811; and

(3) Pay the investment fees and other costs of administering the funds.

(d) The amounts on deposit in the program shall not constitute property of the state. The assets of each of the educational investment trust fund and the educational services trust fund shall be preserved, invested and expended pursuant to and for the purposes set forth in this part, and the trust funds moneys shall be held in trust for account owners, beneficiaries and purchasers, as applicable. Neither trust fund shall be construed to be a department, institution or agency of the state. Amounts on deposit in such trust funds shall not be commingled with state funds and the state shall have no claim to or against, or interest in, such funds. Any agreement entered into by or any obligation of such trust funds shall not constitute a debt or obligation of the state and the state shall have no obligation to any account owner, purchaser, contributor, beneficiary or any other person on account of such trusts and all amounts obligated to be paid from the trust funds shall be limited to amounts available for such obligation on deposit in such trusts. The amounts on deposit in any trust fund account may only be disbursed at the direction of the purchaser or account owner or otherwise in accordance with the provisions of § 49-7-808. A trust fund shall continue in existence as long as they hold any contributions or has any obligations and until its existence is terminated by law, and upon termination any unclaimed assets shall return to the state.

(e) All revenues collected by the program shall not revert to the general fund but shall remain in the program and shall be used to fund the program or the Tennessee financial literacy commission compiled in title 49, chapter 6, part 17.

SECTION 20. Tennessee Code Annotated Section 49-7-813, is amended by deleting the section in its entirety and by substituting instead the following:

The state treasurer shall be the custodian of the trust funds, and the facilities and employees of the state treasurer shall be used and employed in the administration of the funds, including, but not limited to, the keeping of records, the management of bank accounts and other investments, the transfer of funds and the safekeeping of securities evidencing investments and may delegate or subcontract any or all such functions to any entity that the state treasurer deems qualified for such purpose when the state treasurer determines such delegation to be necessary or desirable.

SECTION 21. Tennessee Code Annotated Section 49-7-814 is amended by deleting the section in its entirety and by substituting instead the following:

(a) The board shall establish an investment policy for each trust fund. The board may authorize assets of the trust funds to be invested in any instrument, obligation, security or property that constitutes legal investments for assets of the Tennessee consolidated retirement system, or any other investment deemed appropriate by the board. The board may authorize assets of the funds for the educational services program to be pooled for investment purposes with the assets of the Tennessee consolidated retirement system or any other assets under the custody of the state treasurer.

(b) In conjunction with § 49-7-805(1) and subsection (a), the board shall cause the amounts on deposit in the educational investment program trust established under §49-7-812(a)(1) to be invested in any instrument or investment vehicle that the board deems reasonable and appropriate to achieve the objectives of the trust, exercising the discretion and care of a prudent person in similar circumstances with similar objectives. The board shall not require the trust to invest directly in obligations of the state or any political subdivision of the state or in any investment or other fund administered by the state treasurer or any other state entity. The assets of the trust shall be continuously invested and reinvested in a manner consistent with the objectives of the trust until disbursed for qualified higher education expenses, expended on expenses incurred by the operations of such trust or distributed to the account owner in accordance with the participation agreement.

SECTION 22. Tennessee Code Annotated Section 49-7-820, is amended by deleting the section in its entirety and by substituting instead the following:

(a) The board shall obtain appropriate actuarial assistance to establish, and maintain, and certify a fund sufficient to defray the obligation of the educational services plan . The actuary shall recommend to the board, and the board shall adopt, actuarial assumptions and appropriate actuarial tables for use in all calculations in connection with such plan.

(b) At least once in each six-year period the actuary shall make an actuarial investigation into the assumptions and tables used in the educational services plan, and taking into account the results of the investigation, the board shall adopt for the plan the actuarial assumptions and tables that are deemed necessary.

(c) The board of trustees shall keep in convenient form data necessary for actuarial valuation of the fund and for checking the experience of such plan.

(d) On the basis of the tables and assumptions the board of trustees adopts, the actuary shall make a valuation, at least once a year, of the assets and liabilities of the educational services program trust funds.

SECTION 23. Tennessee Code Annotated Section 49-7-822, is amended by deleting the section in its entirety and by substituting instead the following:

Notwithstanding any law to the contrary, all assets, income and distributions of qualified tuition plans as defined by the code authorized by federal law, this part, part 9 of this chapter or by the laws of another state are exempt from any state, county or municipal tax and shall not be subject to execution, attachment, garnishment, the operation of bankruptcy, the insolvency laws or other process whatsoever, nor shall any assignment thereof be enforceable in any court. This exemption shall include, but is not limited to, qualified tuition plans defined in §529 of the Internal Revenue Code, codified in 26 U.S.C. §529, accounts properly designated as education savings accounts, education IRAs or future tuition payment plans, however described, and shall include any properly authorized payments made to or by such funds.

SECTION 24. Tennessee Code Annotated Section 49-7-823, is amended by deleting the section in its entirety and by substituting instead the following:

If the board determines that any of the educational investment plan or plans or the educational services plan is, for any reason, financially unfeasible, or is not beneficial to the citizens of this state or to the state itself, the board may suspend or terminate the plan immediately,

SECTION 25. Tennessee Code Annotated Section 49-7-825(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) Notwithstanding any other law to the contrary, except as provided in subsections (b) and (c), the board and any officer, employee, agent or contractor of the board shall not disclose personal information about any person obtained by the board in connection with the purchase of tuition units or the making of contributions to any educational investment trust fund account under this part.

SECTION 26. Tennessee Code Annotated Section 49-7-826(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) The state or any department, division or agency of the state may establish a scholarship program to award scholarships to students that consist of contributions and earnings accrued in a savings account created through the educational investment plan established pursuant to

§ 49-7-808. Any scholarship program established under this section shall be registered with the board.

SECTION 27. Tennessee Code Annotated, Title 55, Chapter 4, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) The department shall assist the board of trustees of the baccalaureate education system trust fund program in the implementation of a passenger motor vehicle registration or wheel tax incentive established under § 49-7-805(4) that shall include, but not be limited to, college savings plan incentive inserts in the department's motor vehicle registration notifications, providing college savings plan incentives information with any website renewal, sending other notifications about college savings incentives by electronic means, and providing information about college savings incentives through any other web-based means.

(b) For any insert included in the mailing of renewal notices that causes the total postal weight to be over one ounce (1 oz.) as permitted by the United States postal service, the board of trustees of the baccalaureate education system trust fund program shall pay the increased cost of mailing.

SECTION 28. Tennessee Code Annotated, Title 67, Chapter 2, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) The department shall assist the board of trustees of the baccalaureate education system trust fund program in the implementation of an income tax incentive established under § 49-7-805(4) that shall include, but not be limited to, college savings plan incentive inserts in the department's income tax notifications, providing college savings plan incentives information with any website tax payment form, sending other notifications about college savings incentives by electronic means, and providing information about college savings incentives through any other web-based means.

(b) For any insert included in the mailing of renewal notices that causes the total postal weight to be over one ounce (1 oz.) as permitted by the United States postal service, the board of trustees of the baccalaureate education system trust fund program shall pay the increased cost of mailing.

SECTION 29. Tennessee Code Annotated, Title 67, Chapter 4, Part 17, is amended by adding the following language as a new, appropriately designated section:

(a) The department shall assist the board of trustees of the baccalaureate education system trust fund program in the implementation of a professional privilege tax incentive established under §49-7-805(4) that

shall include, but not be limited to, college savings plan inserts in the department's professional privilege tax notifications, providing college savings plan incentives information with any website tax payment form, sending other notifications about college savings incentives by electronic means, and providing information about college savings incentives through any other web-based means.

(b) For any insert included in the mailing of renewal notices that causes the total postal weight to be over one ounce (1 oz.) as permitted by the United States postal service, the board of trustees of the baccalaureate education system trust fund program shall pay the increased cost of mailing.

SECTION 30. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. M. White moved that **House Bill No. 1931**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 1929** -- Education, Higher - As introduced, permits a student at a public institution of higher education to be charged in-state tuition, if the student is a citizen of the United States, has resided in Tennessee for at least one year and has graduated from a Tennessee public secondary school or a private secondary school in this state and approved by the state board of education as a Category 1, 2, or 3 secondary school or earned a Tennessee high school equivalency diploma. - Amends TCA Title 49. by *White M. (SB2115 by *Gardenhire)

Rep. M. White moved that House Bill No. 1929 be reset for the Regular Calendar on March 20, 2014, which motion prevailed.

MONDAY, MARCH 17, 2014 –FIFTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 1483** -- Firearms and Ammunition - As introduced, broadens scope of handgun permit holder's right to transport and store a firearm or firearm ammunition in certain motor vehicle parking lots without criminal liability under Tennessee law. - Amends TCA Section 39-17-1313(a). by *Moody, *Casada, *Tidwell, *Lamberth, *Rogers, *Hall, *Spivey, *Bailey, *Hawk, *Faison, *Calfee, *Womick, *Keisling, *Butt, *Littleton, *Shipley, *Evans, *Matlock, *Coley, *Jernigan, *Dennis, *Eldridge, *Farmer, *McCormick, *Lundberg, *Sparks, *Kane, *Ragan, *Hill T, *VanHuss, *Matheny, *Sexton, *Sargent, *Carter. (SB2031 by *Hensley)

Rep. Moody moved that House Bill No. 1483 be passed on third and final consideration.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Moody moved that **House Bill No. 1483** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	6
Present and not voting.....	1

Representatives voting aye were: Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Armstrong, Cooper, Hardaway, Johnson G, Stewart, Turner J -- 6

Representatives present and not voting were: Akbari -- 1

A motion to reconsider was tabled.

House Bill No. 2274 -- County Clerks - As introduced, authorizes former county clerks of this state who occupied the office of county clerk on or after July 1, 2014, to solemnize the rite of matrimony. - Amends TCA Section 36-3-301. by *Armstrong. (*SB2270 by *Yager)

On motion, House Bill No. 2274 was made to conform with **Senate Bill No. 2270**; the Senate Bill was substituted for the House Bill.

Rep. Armstrong moved that Senate Bill No. 2270 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2270 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 36-3-301(a)(1), is further amended by deleting the language “former speakers of the house of representatives,” and substituting instead the language “former speakers of the house of representatives, members of the general assembly,”.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Armstrong moved that **Senate Bill No. 2270**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes.....	19
Present and not voting.....	1

Representatives voting aye were: Akbari, Armstrong, Calfee, Camper, Carr D, Cooper, Dean, DeBerry J, Eldridge, Evans, Faison, Farmer, Favors, Forgety, Gilmore, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Roach, Rogers, Sanderson, Shaw, Shepard, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Van Huss, White D, White M, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Brooks H, Carr J, Carter, Casada, Dennis, Doss, Dunn, Durham, Goins, Hardaway, Haynes, Holt, Littleton, McCormick, Moody, Rich, Sexton, Weaver, Williams R -- 19

Representatives present and not voting were: Fitzhugh -- 1

A motion to reconsider was tabled.

House Joint Resolution No. 762 -- Memorials, Recognition - Silent Witness Program. by *Pitts, *Tidwell, *Johnson C.

Further consideration of House Joint Resolution No. 762, previously considered on March 13, 2014 at which time it was objected to on the Consent Calendar and placed on today's Regular Calendar.

Rep. Pitts moved adoption of **House Joint Resolution No. 762**, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

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Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***Senate Joint Resolution No. 60** -- Constitutional Amendments - Proposes amendment of the Tennessee Constitution to authorize lotteries to benefit 501(c)(19) organizations when such lotteries are authorized by a two-thirds vote of the General Assembly. by *Crowe, *Massey.

Rep. Ragan requested that the Clerk read Senate Joint Resolution No. 60 for the first Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

The Clerk read Senate Joint Resolution No. 60.

Rep. Ragan moved that Senate Joint Resolution No. 60 be reset for Thursday, March 20, 2014, for its second reading, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 455** -- Taxes, Real Property - As introduced, requires court clerks who are notified by persons having legal claims against property set for delinquent tax sale to notify such persons of the results of such delinquent tax sale. - Amends TCA Title 67, Chapter 5. by *Hardaway, *Towns, *Cooper. (SB625 by *Norris)

Senate Amendment No. 1

AMEND House Bill No. 455 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-2502(a)(3), is amended by adding the following new language at the end of the subdivision:

If there is any remainder after the proceeds of the sale have been distributed pursuant to § 67-5-2501, the party receiving notice pursuant to this subdivision (a)(3) shall also be given notice of the amount of proceeds resulting from the sale, the division of such proceeds, and the remainder.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

Rep. Hardaway moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 455**, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Joint Resolution No. 676 -- Memorials, Professional Achievement - Jimmy Hammock 33rd International Immediate Past President of Phi Beta Sigma. by *Armstrong

Senate Amendment No. 1

AMEND House Joint Resolution No. 676 by deleting all language after the caption and by substituting instead the following:

WHEREAS, it is fitting that this General Assembly recognize and honor those citizens of our State who are successful in their professional lives and have contributed to their communities in an outstanding way; and

WHEREAS, one such individual is Jimmy Hammock, who is now the 33rd Immediate Past President of the Phi Beta Sigma Fraternity and has dedicated his life to this brotherhood of service; and

WHEREAS, founded on January 9, 1914, at Howard University in Washington, D.C., Phi Beta Sigma Fraternity is celebrating its 100th anniversary this year; and

WHEREAS, Phi Beta Sigma has grown to more than 150,000 members, all of whom are true to the Fraternity's motto: Culture For Service and Service For Humanity; and

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WHEREAS, for the past 100 years, the men of Phi Beta Sigma have truly exemplified the ideals of brotherhood, scholarship, and service; and

WHEREAS, Jimmy Hammock has achieved the highest level in Phi Beta Sigma, the Distinguished Service Chapter; and

WHEREAS, he is a member of the James T. Hall of Fame and of the General Board as Immediate Past President; and

WHEREAS, during his term as the International President, the fraternity's fundraising efforts for the March of Dimes increased, a vocational school was built in Ghana, and several other causes were advanced simultaneously; and

WHEREAS, Jimmy Hammock served two terms as the 33rd International President, two terms as the International Vice President, and two terms as International Treasurer for the Fraternity; his campaign slogan and administration theme was "Changing Lives through Service"; and

WHEREAS, Mr. Hammock has served as the 13th Southeastern Regional Director and as the Southeastern Vice Director; he has also served as the Phi Beta Sigma Chapter President in Knoxville and as the East Tennessee State Director; and

WHEREAS, a native of Fordyce, Arkansas, he attended the University of Arkansas at Pine Bluff; and

WHEREAS, Mr. Hammock is most deserving of recognition for his plethora of achievements within the Phi Beta Sigma Fraternity and for the services he has performed for the brotherhood and his community; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we hereby honor and recognize Jimmy Hammock for his multitude of successes within the Phi Beta Sigma Fraternity and for his service to the Knoxville community.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.

Rep. Armstrong moved the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No. 676**, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety,
3183

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Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no “ on **Senate Bill No. 1506** and have this statement entered in the Journal: Rep(s). J. Turner.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 937 -- TennCare - As introduced, prohibits Tennessee from participating in any Medicaid expansion authorized under the federal Patient Protection and Affordable Care Act. - Amends TCA Title 4 and Title 71. by *Durham, *Powers, *Ragan, *Calfee, *Rich, *Casada, *Goins, *Rogers, *Carr J, *Floyd, *Matheny, *Dennis, *White D, *Littleton, *Evans, *Kane, *Lamberth, *Lynn, *Sargent, *Faison, *Butt, *Matlock, *Todd, *Womick, *Spivey, *Weaver, *Lundberg, *Holt, *Brooks K, *Sanderson, *Carter. (*SB804 by *Kelsey, *Bowling, *Tracy, *Ketron, *Gresham, *Bell, *Southerland, *Niceley, *Campfield, *Beavers, *Summerville, *Haile, *Johnson)

Senate Amendment No. 8

AMEND House Bill No. 937 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. In event that the governor calls a special session of the general assembly to approve a joint resolution authorizing the expansion of medical assistance pursuant to Section 1, then members of the general assembly shall not receive or be entitled to any compensation or reimbursement for expenses, under Tennessee Code Annotated, Section 3-1-106, or other applicable provision of law, for attending the special session.

Rep. Durham moved that the House concur in Senate Amendment No. 8 to House Bill No. 937.

Rep. Todd moved the previous question, which motion failed by the following vote:

Ayes 55

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Noes..... 32

Representatives voting aye were: Brooks H, Brooks K, Butt, Calfee, Carr D, Carter, Casada, Coley, Dean, Dennis, Doss, Durham, Eldridge, Evans, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill T, Holt, Johnson C, Keisling, Lamberth, Littleton, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Travis, Weaver, White D, White M, Williams R, Windle, Madam Speaker Harwell -- 55

Representatives voting no were: Akbari, Armstrong, Camper, Carr J, Cooper, DeBerry J, Dunn, Faison, Farmer, Favors, Fitzhugh, Gilmore, Hardaway, Haynes, Jernigan, Johnson G, Jones, Miller, Mitchell, Odom, Parkinson, Powell, Shaw, Shepard, Stewart, Tidwell, Towns, Turner M, Van Huss, Williams K, Wirgau, Womick -- 32

After further discussion Rep. Holt moved the previous question with motion failed by the following vote:

Ayes 54
Noes..... 34

Representatives voting aye were: Brooks H, Brooks K, Calfee, Carr D, Carter, Casada, Coley, Dennis, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Hawk, Haynes, Hill T, Holt, Johnson C, Kane, Keisling, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Swann, Todd, Travis, Weaver, White D, White M, Williams R, Windle, Madam Speaker Harwell -- 54

Representatives voting no were: Akbari, Armstrong, Bailey, Camper, Carr J, Cooper, Dean, DeBerry J, Doss, Dunn, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Lamberth, Love, Miller, Odom, Parkinson, Powell, Sanderson, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Williams K, Womick -- 34

Rep. Durham moved to withdraw his motion to concur in Senate Amendment 8 to House Bill No. 937, which motion prevailed by the following vote:

Ayes 64
Noes..... 23

Representatives voting aye were: Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill T, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Womick, Madam Speaker Harwell -- 64

Representatives voting no were: Akbari, Armstrong, Favors, Fitzhugh, Gilmore, Hardaway, Haynes, Johnson G, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 23

Rep. Durham moved that the House nonconcur in Senate Amendment(s) No(s). 8 to **House Bill No. 937**, which motion prevailed.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “present not voting” to “no” on **Senate Bill No. 2270** and have this statement entered in the Journal: Rep(s). Floyd.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2270** and have this statement entered in the Journal: Rep(s). Kane.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1582 -- Sunset Laws - As introduced, extends the board of physical therapy, June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 13, Part 3. by *Matheny, *Ragan. (*SB1529 by *Bell)

Senate Amendment No. 2

AMEND House Bill No. 1582 by adding the following language immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION 3. Tennessee Code Annotated, Section 63-13-318, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) The physical therapist and physical therapist assistant members shall be appointed by the governor from lists of nominees submitted by interested physical therapy groups including, but not limited to, the Tennessee Physical Therapy Association. The governor shall consult with such interested groups to determine qualified persons to fill positions on the board.

Rep. Matheny moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1582**, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore,

Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: McCormick -- 1

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1585 -- Sunset Laws - As introduced, extends board of social work licensure, June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 23, Part 1. by *Matheny, *Ragan. (*SB1530 by *Bell)

Senate Amendment No. 2

AMEND House Bill No. 1585 by adding the following language immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION 3. Tennessee Code Annotated, Section 63-23-101, is amended by deleting subdivision (b)(3) in its entirety and by substituting instead the following:

(b)(3) The social worker members shall be appointed by the governor from lists of nominees submitted by interested social worker groups including, but not limited to, the Tennessee chapter of the National Association of Social Workers. The governor shall consult with such interested groups to determine qualified persons to fill positions on the board.

Rep. Matheny moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1585**, which motion prevailed by the following vote:

Ayes 91
Noes..... 2

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw,

Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: McCormick, Williams K -- 2

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1605 -- Sunset Laws - As introduced, extends board of occupational therapy, June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 13. by *Matheny, *Ragan. (*SB1528 by *Bell)

Senate Amendment No. 2

AMEND House Bill No. 1605 by adding the following language immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION 3. Tennessee Code Annotated, Section 63-13-216, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) The occupational therapist and occupational therapy assistant members shall be appointed by the governor from lists of nominees submitted by interested occupational therapy groups including, but not limited to, the Tennessee Occupational Therapy Association. The governor shall consult with such interested groups to determine qualified persons to fill positions on the board.

Rep. Matheny moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1605**, which motion prevailed by the following vote:

Ayes	71
Noes.....	23

Representatives voting aye were: Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Coley, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Halford, Hall, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McManus, Moody, Odom, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 71

Representatives voting no were: Akbari, Armstrong, Camper, Casada, Cooper, Fitzhugh, Hardaway, Harrison, Jernigan, Johnson G, Jones, McCormick, McDaniel, Miller, Mitchell, Parkinson, Powell, Ragan, Shaw, Stewart, Towns, Turner J, Turner M -- 23

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1607 -- Sunset Laws - As introduced, extends the state board for licensing contractors, June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 6, Part 1. by *Matheny, *Ragan. (*SB1555 by *Bell)

Senate Amendment No. 1

AMEND House Bill No. 1607 by adding the following language immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 62-6-104(a), is amended by deleting subdivision (2) in its entirety and substituting instead the following:

(2) The governor shall appoint the residential contractor members from lists of qualified persons submitted by interested home builder groups including, but not limited to, the Home Builders Association of Tennessee, Inc. Appointments made pursuant to this subdivision (a)(2) shall be made by the governor following the expiration of the respective terms of the members serving on the board as of July 1, 2014. The governor shall consult with interested home builder groups to determine qualified persons to fill positions on the board.

Rep. Matheny moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1607**, which motion prevailed by the following vote:

Ayes 82
Noes..... 12

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

Representatives voting no were: Casada, Cooper, Durham, Hardaway, Harrison, Haynes, Johnson G, McCormick, Sargent, Stewart, Towns, Turner M -- 12

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow House Bill(s) No(s). 2147, 1975, 1216, 1557, 1848, 1921, 2076, 2295, 2198, 2235 and 1292 to be heard in the Education Subcommittee this week.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow House Bill No. 2503 to be heard in the State Government Subcommittee this week.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow House Bill(s) No(s). 2184 and 204 to be heard in the Health Subcommittee this week.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow House Bill No. 2440 to be heard in the State Government Subcommittee this week.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow House Bill No. 467 to be heard in the Transportation Subcommittee this week.

Without objection it was so ordered.

RULES SUSPENDED

Rep. Calfee moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 673 out of order, which motion prevailed.

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Senate Joint Resolution No. 673 -- Memorials, Retirement - Leslie Henderson. by *Yager.

On motion of Rep. Calfee, the resolution was concurred in.

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). Hardaway was/were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1542 Rep(s). Tidwell, K. Williams and D. Carr as prime sponsor(s).

House Bill No. 1769 Rep(s). Hall and Carter as prime sponsor(s).

House Bill No. 1869 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1892 Rep(s). Powell as prime sponsor(s).

House Bill No. 1929 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2147 Rep(s). McManus as prime sponsor(s).

House Bill No. 2426 Rep(s). Womick as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). M. White was/were removes as sponsor(s) to **House Bill No. 2079**.

MESSAGE FROM THE SENATE
March 17, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 627, 630, 632 and 634; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
March 17, 2014

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The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 627, 630, 632 and 634.

JOE McCORD, Chief Clerk

**SIGNED
March 17, 2014**

The Speaker announced that she had signed the following: House Bill(s) No(s). 1647, 1918, 1928, 1947 and 2262.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 673; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 673 -- Memorials, Retirement - Leslie Henderson. by *Yager.

**MESSAGE FROM THE SENATE
March 17, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1618, 1647, 1918, 1928, 1947, 2262 and 2463; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1433, 1443, 1445, 1488, 1510, 1620, 1630, 1724, 1742, 1777, 1919, 2259 and 2521; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
March 17, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1931;

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE
March 17, 2014

MADAM SPEAKER: I am directed to request the return of Senate Bill(s) No(s). 2519; for further consideration.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
March 17, 2014

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1433, 1443, 1445, 1488, 1510, 1620, 1630, 1742, 1724, 1777, 1919, 2259 and 2521.

JOE McCORD, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

RECESS

On motion of Rep. McCormick the House stood in recess until 9:00 a.m., Thursday, March 20, 2014.